

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN PAVON, a/k/a "Cluer,"

Defendant.

2:20-CR-032-JCM-EJY

**Preliminary Order of Forfeiture**

This Court finds Jonathan Pavon, a/k/a "Cluer," pled guilty to Counts One and Two of a Two-Count Criminal Information charging him in Count One with conspiracy to destroy government property in violation of 18 U.S.C. §§ 371 and 1361 and in Count Two with unauthorized damage, alteration, or defacement of archaeological resources in violation of 16 U.S.C. § 470ee(a) and (d). Criminal Information, ECF No. 63, Arraignment & Plea, ECF no. 67; Plea Agreement, ECF No. ECF no. 66.

This Court finds Jonathan Pavon, a/k/a "Cluer," agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF no. 63; Arraignment & Plea, ECF no. 67; Plea Agreement, ECF no. 66;

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and Count Two, to which Jonathan Pavon, a/k/a "Cluer," pled guilty.

The following property is all archaeological resources with respect to a violation of 16 U.S.C. § 470ee(a) and (d) which are in the possession of any person, and all vehicles and

1 equipment which were used in connection with violations of 16 U.S.C. § 470ee(a) and (d),  
2 or such archaeological resources, vehicles, or equipment were involved in such violation  
3 and is subject to forfeiture pursuant to 16 U.S.C. § 470gg(b)(1) and (b)(3):

- 4 1. spray paint;
- 5 2. after market nozzles;
- 6 3. stickers; and
- 7 4. paint gear (clothing covers)

8 (all of which constitutes property).

9 This Court finds that on the government's motion, the Court may at any time enter  
10 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
11 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
12 32.2(b)(2)(C).

13 This Court finds the United States of America is now entitled to, and should, reduce  
14 the aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
16 DECREED that the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
18 rights, ownership rights, and all rights, titles, and interests of Jonathan Pavon, a/k/a  
19 "Cluer," in the aforementioned property are forfeited and are vested in the United States of  
20 America and shall be safely held by the United States of America until further order of the  
21 Court.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
23 of America shall publish for at least thirty (30) consecutive days on the official internet  
24 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
25 describe the forfeited property, state the time under the applicable statute when a petition  
26 contesting the forfeiture must be filed, and state the name and contact information for the  
27 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
28 and 21 U.S.C. § 853(n)(2).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
2 or entity who claims an interest in the aforementioned property must file a petition for a  
3 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
4 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
5 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
6 right, title, or interest in the forfeited property and any additional facts supporting the  
7 petitioner's petition and the relief sought.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
9 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
10 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
11 not sent, no later than sixty (60) days after the first day of the publication on the official  
12 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
14 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
15 Attorney's Office at the following address at the time of filing:

16 Daniel D. Hollingsworth  
17 Assistant United States Attorney  
18 James A. Blum  
19 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
21 described herein need not be published in the event a Declaration of Forfeiture is issued by  
22 the appropriate agency following publication of notice of seizure and intent to  
23 administratively forfeit the above-described property.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
25 copies of this Order to all counsel of record.

26 DATED June 15, 2022.

27   
28 JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE